

07-15-04

IFW



WHITEMAN OSTERMAN & HANNA LLP



SANDER RABIN MD JD
THE CONVERGENT TECHNOLOGY PATENT LAW GROUP™

ALBANY OFFICE
One Commerce Plaza
Albany, New York 12260
VOICE: 518 487-7683
FAX: 518 487-7777
eMAIL: srabin@WOH.com

TROY OFFICE
Two Irving Place
Troy, New York 12180-4417
VOICE: 518 272-7962
FAX: 518 274-2424
eMAIL: srabin1@nycap.rr.com

July 13, 2004

Commissioner of Patents
Box 1450
Alexandria, VA 22313-1450

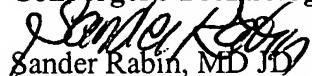
Re: Nonprovisional Patent Application
Title: ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL
TRACT AND METHOD FOR STUDYING OBESITY
Docket No. RFSUNY-3673 R1410
Serial No. 10/802,996

Dear Sir:

Enclosed is a Preliminary Amendment and corresponding paperwork for the above-referenced matter, which are being submitted for filing with the United States Patent and Trademark Office.

Very truly yours,

Convergent Technology Patent Law Group


Sander Rabin, MD JD

Enclosures

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s): Michael Meguid

Docket No.

RFSUNY-3673 R1410

Serial No.
10/802,516Filing Date
03/17/2004

Examiner

Group Art Unit
3738Invention: **ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL TRACT AND METHOD FOR
STUDYING OBESITY****TO THE COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.

A verified statement to establish Small Entity status under 37 CFR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	54 -	54 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	3 -	3 =	0	x \$43.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

No additional fee is required for amendment.

Please charge Deposit Account No. _____ in the amount of _____

A check in the amount of _____ to cover the filing fee is enclosed.

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

Signature

Dated: 07/13/2004

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sander Rabin MD JD Reg. No.: 53,498 Cust. No.:
Convergent Technology Patent Law Group
2 Irving Place
Troy, NY 12180-4417
518 272-7962

CC:

Signature of Person Mailing Correspondence

Typed or Printed Name of Person Mailing Correspondence

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Michael M. Meguid

Docket No.

RFSUNY-3673 R1410

Serial No.
10/802,996Filing Date
03/17/2004

Examiner

Group Art Unit

Invention: **ANIMAL WITH SURGICALLY MODIFIED GASTROINTESTINAL TRACT AND METHOD FOR STUDY OF WEIGHT REDUCTION**

I hereby certify that the following correspondence

Preliminary Amendment and corresponding paperwork*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231

07/14/2004*(Date)***Sander Rabin***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***ER999187060US****Note: Each paper must have its own certificate of mailing.**



DOCKET NO. RFSUN3673

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael Meguid) **Examiner:**
Serial No.: 10/802,996)
Filed: March 17, 2004)
For: ANIMSL WITH SURGICALLY MODIFIED)
GASTROINTESTINAL TRACT AND METHOD)
FOR STUDYING OBESITY)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Preliminary Amendment

Sir:

In the Specification

Please amend the specification as follows:

Page 1, between "Title" and "Background of the Invention" heading insert:

Related Application

The present invention claims priority to U.S. Provisional No. 60/457,213, filed on March 21, 2003, which is incorporated herein by reference in its entirety.